

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

FILED

JUN 17 2019

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY C&C  
DEPUTY CLERK

DAVID COLBATH,

*Plaintiff,*

v.

UNITED STATES,

*Defendant.*

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Civil Action No. 5:19-CV-678-XR

**ORDER**

On this day the Court considered the status of this case. Federal Rule of Civil Procedure 42(a) provides that if actions “involve a common question of law or fact,” the court may “consolidate the actions” or “issue any other order to avoid unnecessary cost or delay.” FED. R. CIV. P. 42(a). The decision to consolidate actions under Rule 42(a) is “entirely within the discretion of the district court as it seeks to promote the administration of justice.” *Gentry v. Smith*, 487 F.2d 571, 581 (5th Cir. 1973).

The following cases have already been consolidated, with 5:18-CV-555-XR being the lead case, because they share common questions of law and fact:

- 5:18-CV-555-XR
- 5:18-CV-712-XR
- 5:18-CV-881-XR
- 5:18-CV-944-XR
- 5:18-CV-949-XR
- 5:18-CV-951-XR

- 5:18-CV-1151-XR
- 5:19-CV-184-XR
- 5:19-CV-289-XR
- 5:19-CV-506-XR

This case shares the same common questions of law and fact as the above consolidated cases. Accordingly, it is ORDERED that this case, 5:19-CV-678-XR, is consolidated with the lead case, 5:18-CV-555-XR.

It is so ORDERED.

SIGNED this 17th day of June, 2019.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', is written over a horizontal line.

XAVIER RODRIGUEZ  
UNITED STATES DISTRICT JUDGE